

67,108-196
Gopalakrishnan 6-4-6-7-15-10

REMARKS

Applicant respectfully requests reconsideration of this application where claim 1 is amended and new claim 3 is added above.

Applicant respectfully traverses the rejections under 35 U.S.C. §112, first paragraph. The Examiner appears to be focusing on the end of line 28 and line 29 at the bottom of page 4 of the specification. If the Examiner will direct attention to the text beginning at line 21, it is clear that the text referred to by the Examiner in the Office Action provides one example type of "transport format combination indication signaling." The text of the specification describes transport format combination indication signaling as including rate information and transport channel identity. Applicant's claim 1 recites mapping transport format combination indication signaling into a number of packet data units. That is clearly supported by the specification.

Another way to consider this is that the paragraph beginning at line 25 of page 4 states that the transport format combination indication signaling can be significantly reduced by using mapping. It then continues to describe mapping into a number of packet data units. It is that transport format combination indication signaling that gets mapped in order to be significantly reduced. That paragraph describes rate information and transport channel identity as example types of signaling that can be mapped into the number of packet data units. In other words, the rate information and transport channel identity are example types of transport format combination indication signaling that can be mapped into the number of packet data units.

The specification clearly supports the claims as written. Applicant respectfully asks the Examiner to consult with a Supervisor regarding this issue. There is no requirement for word-for-word correspondence between a selected sentence from a specification and a claim. As long

67,108-196
Gopalakrishnan 6-4-6-7-15-10

as the specification describes the claimed subject matter sufficiently to enable one skilled in the art to practice the claimed invention, 35 U.S.C. §112 is satisfied.

The rejection under 35 U.S.C. §112, second paragraph, has been addressed by the amendment to claim 1.

Applicant respectfully traverses the rejection under 35 U.S.C. §102(e) based upon the *Shiu, et al.* reference. The *Shiu, et al.* reference does not include the type of mapping recited in claim 1. In particular, the *Shiu, et al.* reference is silent regarding any mapping of a plurality of transport format combination indication signaling information into a number of packet data units as recited in claim 1. The Examiner appears to take the position that any mapping of a physical channel is the same. That is not true. The *Shiu, et al.* reference does not describe the type of mapping recited in Applicant's claims. Therefore, there is no anticipation.

Applicant respectfully submits that this case is in condition for allowance. Applicant's representative will be happy to discuss any issues regarding this application with the Examiner if the Examiner believes that a telephone conference would be useful for moving this case forward to being issued.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

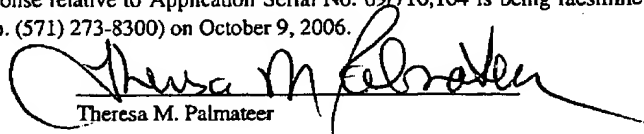
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67,108-196
Gopalakrishnan 6-4-6-7-15-10

CERTIFICATE OF FACSIMILE

I hereby certify that this Response relative to Application Serial No. 09/716,104 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on October 9, 2006.


Theresa M. Palmateer

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